

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
KENNETH J. MURPHY
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COURT
SOUTHERN DISTRICT OHIO
WEST DIV CINCINNATI

ANTONIO MOORE,

:

Case No. C-1-02-0430

Plaintiff,

:

(J. Weber)

v.

:

KROGER COMPANY, et al.,

:

**AFFIDAVIT OF ARAFA
ABDUL-BARI SUBMITTED IN
OPPOSITION TO
DEFENDANTS' MOTIONS
FOR SUMMARY JUDGMENT**

Defendants.

:

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Affiant, Arafa Abdul-Bari, being duly cautioned and sworn, states as follows:

1. I, Arafa Abdul-Bari, reside at 2932 Fischer Place, Apt. #1, Cincinnati, Ohio 45211, am over the age of 18, witnessed the events related herein, am competent to testify herein, and have personal knowledge of the facts related in this affidavit.

2. On June 21, 2001 I was at the Krogers store at 4777 Kenard in Cincinnati, Ohio.

3. I was outside Krogers, having just exited the store, and witnessed the entire events and conversation between Plaintiff Antonio Moore and the police officers who arrested him.

4. At no time did Antonio Moore display any offensive, unruly, disorderly, disruptive, aggressive or threatening behavior of any kind. The events consisted only of a conversation between Antonio Moore and Officer McNeil and the other officers when they arrived on the scene, prior to Mr. Moore being arrested.

5. There was never any "crowd" stopped and gathered at any point during this conversation, only observers who were walking in and out of Krogers during the conversation.

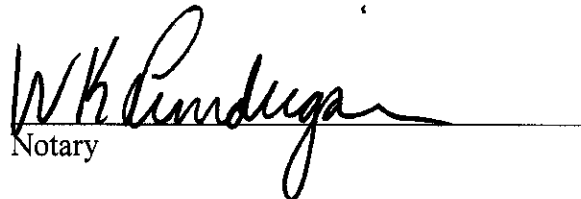
6. I overheard the conversation between Mr. Moore and Officer McNeil. Officer McNeil was insistent in repeatedly stating he was going to arrest Mr. Moore if Mr. Moore refused to respect Officer Moore's authority by Mr. Moore failing to move his car which Mr. Moore had parked in the spot marked "Reserved for Police Cars."

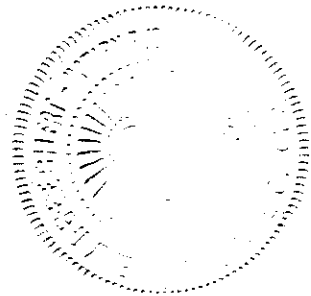
7. Mr. Moore was arrested by the Cincinnati Police Officers for refusing to move his car from that parking spot on that day.


Arafa Abdul-Bari

STATE OF OHIO :
COUNTY OF HAMILTON : SS:

Be it remembered on the 22nd day of November, 2003, Arafa Abdul-Bari did appear before me, a notary public in and for the State of Ohio and the County of Hamilton and acknowledged that the foregoing signature is his/her signature which he/she affixed as his free act and deed.


Notary



CERTIFICATE OF SERVICE

I hereby certify that the foregoing Affidavit is being served via electronic notification through the court to all parties entitled to service under Rule 5 of the Federal Rules of Civil Procedure on the 22nd day of November, 2003.


W. Kelly Lundrigan

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